IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Notice of Motion No. 2598 of 2005
In
Appeal (Lodging) No. 867 of 2005
In
Suit No. 2647 of 1996

The Manager, Punjab National Bank .. Appellant
V/s.
M/s. Gratex Industries Ltd. & Anr. .. Respondents

Mr. Sudhan Amare for the Appellant
Mr. Ramesh Kukreja for the Respondents

CORAM : DR. S. RADHAKRISHNAN &
S.C. DHARMADHIKARI, JJ.
DATED : 07.10.2005.

P.C.:-

1. Heard the learned counsel for the Appellant and the Respondents. By this Notice of Motion, the Appellant is seeking condonation of 677 days delay in filing the above Appeal. Perused the Affidavit in support of the Notice of Motion and the Affidavit in Reply.

2. For the reasons stated in the Affidavit in support of the Notice of Motion in paragraph nos. 4, 5, 6 and 7, sufficient cause is made out for condonation of delay. There is no case of inaction, negligence or want of bonafide. Notice of Motion is made absolute in terms of prayer clause (a), subject to the Appellant paying costs quantified at Rs. 5,000/- (Rs. Five Thousand Only), as condition precedent.

(DR. S. RADHAKRISHNAN, J.)

(S.C. DHARMADHIKARI, J.)